IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION NO.694 OF 2001

Uttam Agro Food (India)
Pvt.Ltd. & Another .. Petitioners.
V/s.
Union of India & Others .. Respondents.

Mr.M.V. Jayakar with Mr.Mihir Deshmukh & Ms.Neha Bhide i/b. M/s.Khaitan & Jayakar for the petitioners.

Mr.P.S. Jetly with Mr.Y.R. Mishra i/b. Mr.H.D. Rathod for the respondent.

CORAM : R.M. LODHA &
J.P. DEVADHAR, JJ.

DATED : 5TH MAY, 2006.

P.C. :

Heard.

2. Mr.P.S. Jetly, the counsel for the revenue states that the respondent No.3 shall adjudicate the matter pursuant to the show-cause notice dated 9th July, 2001 without being influenced by the impugned public notice dated 20th February, 2001.

3. The learned counsel for the petitioners is satisfied with the suggestion of the counsel for the revenue. Accordingly, we dispose of the writ petition by following order :

(i) The respondent No.3 shall adjudicate the matter pursuant to the show cause notice

dated 9th July, 2001 uninfluenced by the impugned public notice dated 20th February, 2001.

(ii) The adjudication shall be completed within four months from the date of receipt of reply from the petitioners.

(iii) The petitioners are directed to appear before the respondent No.3 on 29th May, 2006.

(iv) Until completion of the adjudication and for a period of two months thereafter, the petitioners shall keep alive the bank guarantee furnished pursuant to the interim order of this Court.

(v) We record the statement of the counsel for the revenue that the copies of the documents relied upon in the show-cause notice shall be furnished to the petitioners, if not furnished so far.

5. No costs.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)